

CITY COUNCIL AGENDA

OCTOBER 30, 2007

SYNOPSIS

PETE CONSTANT
FORREST WILLIAMS
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
DAVID D CORTESI, VICE MAYOR
JUDY CHIRCO
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- ***Strategic Support Services*** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- ***Community & Economic Development*** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- ***Neighborhood Services*** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- ***Transportation & Aviation Services*** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- ***Environment and Utility Services*** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- ***Public Safety Services*** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak on items that are not on the agenda during Open Forum. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Reed will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1:30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas and Staff Reports for City Council items may be viewed on the Internet at www.sanjoseca.gov/clerk/agenda.asp. Council Meetings are televised live and rebroadcast on Channel 26.

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, please call (408) 535-1260 or (408) 294-9337 (TTY) at least two business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**
9:31 a.m. - Closed Session, Call to Order in Council Chambers
Absent Council Members: None.

1:35 p.m. - Regular Session, Council Chambers, City Hall
Absent Council Members: None.
- **Invocation (District 9)**
Lauren Gripenstraw, Leigh High School, played Tillman's Fantasia No. 6 for Solo Flute.
- **Pledge of Allegiance**
Mayor Reed led the Pledge of Allegiance.
- **Orders of the Day**
The Orders of the Day and the Amended Agenda were approved with Item 2.1(a)-(c) deferred to 11/6/07.
- **Closed Session Report**
No Report.

1. CEREMONIAL ITEMS

- 1.1** Presentation of a commendation to the San José Giants organization for winning the California League Championship and for their continued commitment to the community. (Mayor/Cortese/Nguyen)
(Deferred from 10/16/07 – Item 1.4)
Mayor Reed, Vice Mayor Cortese and Council Member Nguyen recognized and commended the San José Giants organization for their achievements.

1. CEREMONIAL ITEMS

- 1.2 Presentation of a commendation to the Fairmont Hotel for 20 years of extraordinary service to the City of San José. (Mayor/Cortese/Liccardo)
(Deferred from 10/16/07 – Item 1.5)
Mayor Reed, Vice Mayor Cortese and Council Member Liccardo recognized and commended the Fairmont Hotel for 20 years of service to the San José community.
- 1.3 Presentation of a commendation to the General Services Fleet Audit Team for its exemplary dedication and valuable contributions to the City organization. (City Manager's Office/Mayor)
Mayor Reed and City Manager Debra Figone recognized and commended the General Services Fleet Audit Team for its outstanding dedication and important contributions to the City of San José.
- 1.4 Presentation of a commendation to the Santa Clara University Solar Decathlon Team for placing third in the international Solar Decathlon, creating a livable green home and exemplifying the creativity that will spur the next wave of Clean Tech innovation in our region. (Mayor/Chirco/Cortese)
(Rules Committee referral 10/24/07)
Mayor Reed, Vice Mayor Cortese and Council Member Chirco recognized and commended the Santa Clara University Solar Decathlon Team for their outstanding achievements.

2. CONSENT CALENDAR

2.1 Approval of Minutes.

Recommendation: Approval of Minutes.

- (a) Regular Minutes of August 21, 2007
 - (b) Joint City Council/Redevelopment Agency/County Board of Supervisors Minutes of August 23, 2007
 - (c) Regular Minutes of August 28, 2007
- Deferred to 11/6/07 per Orders of the Day.**

- (d) Regular Minutes of August 14, 2007
[Deferred from 10/23/07 – Item 2.1(b)]
- Approved.**

2. CONSENT CALENDAR

2.2 Final adoption of ordinances.

Recommendation: Final adoption of ordinances.

- (a) ORD. NO. 28146 – Rezoning certain real property situated at the south side of Blossom Hill Road, approximately 70 feet westerly of Hoffman Court (1250 Blossom Hill Road) to R-M Multiple Residence Zoning District. C07-027
Ordinance No. 28146 adopted.
- (b) ORD. NO. 28147 – Rezoning certain real property situated at the north side of Bark Lane approximately 150 feet west of Weyburn Lane (7201 Bark Lane) to A(PD) Planned Development Zoning District. PDC06-005
Ordinance No. 28147 adopted.
- (c) ORD. NO. 28148 – Rezoning certain real property situated at the east side of South Third Street approximately 500 feet north of Keyes Street (1010 South Third Street) to A(PD) Planned Development Zoning District. PDC07-002
Ordinance No. 28148 adopted.
- (d) ORD. NO. 28150 – Rezoning certain real property situated on the southwest corner of Zanker Road and Devcon Drive (1821 Zanker Road) to IP Industrial Park Zoning District. C07-062
Ordinance No. 28150 adopted.
- (e) ORD. NO. 28151 – Rezoning certain real property situated at the northwest corner of North First Street and Vista Montana to A(PD) Planned Development Zoning District. PDC07-054
Ordinance No. 28151 adopted.
- (f) ORD. NO. 28152 – Rezoning certain real property situated at the northwesterly corner of West Tasman Drive and Vista Montana to A(PD) Planned Development Zoning District. PDC07-055
Ordinance No. 28152 adopted.
- (g) ORD. NO. 28154 – Approving a development agreement between the City of San José and Novellus Systems, Inc. relative to the development of certain property located within the City of San José, California.
Ordinance No. 28154 adopted.
- (h) ORD. NO. 28155 – Rezoning certain real property situated in the area generally bound by Blossom Hill Road on the north, Gallup Drive to the west, Mesa Drive to the south, and Almaden Expressway to the east (1110, 1150 and 1156 Blossom Hill Road) to CG Commercial General Zoning District. C07-069
Ordinance No. 28155 adopted.

2. CONSENT CALENDAR

2.3 Approval of actions related to the Master Plan for the Lower Silver Creek Trail.

Recommendation: Approval of the Lower Silver Creek Trail Master Plan and adoption of a resolution incorporating the environmental mitigation measures as set forth in the Mitigation Monitoring and Reporting Program for the project. CEQA: Mitigated Negative Declaration, File No. PP07-106. Council Districts 3, 5 and 8. SNI: Five Wounds/Brookwood Terrace, Mayfair, East Valley, 680 Communities, Gateway East. (Parks, Recreation and Neighborhood Services)
(Deferred from 10/23/07 – Item 2.12)

Deferred to 11/20/07 per Administration.

2.4 Acceptance of the Office of the City Auditor's Report.

Recommendation: Acceptance of the Office of the City Auditor's *Report of Activities for the Period August 16 Through September 15, 2007*. (City Auditor)

Report Accepted.

2.5 Acceptance of the findings report relating to the Bay 101 Conditional Approval of Stock Transfer.

Recommendation: Acceptance of the findings report from Kafoury, Armstrong & Company, LLP relating to the Bay 101 Conditional Approval of Stock Transfer, quarter ending June 30, 2007. (City Auditor)

Report Accepted.

2.6 Approval of actions related to the Revolving Loan Fund.

Recommendation: Adoption of a resolution certifying that:

- (a) The City of San José's Revolving Loan Fund (RLF) Plan is consistent with and supportive of the area's current economic adjustment strategy; and
- (b) The RLF is being operated in accordance with the policies and procedures contained in the RLF plan, and the loan portfolio meets the standards contained therein.

CEQA: Not a Project. (Economic Development)

Resolution No. 74075 adopted.

2.7 Approval of actions related to Cirque du Soleil.

Recommendation:

- (a) Approval of a lease agreement with Cirque du Soleil for the purpose of leasing portions of the City's "E" Parking Lot (Taylor/San Pedro/Mission) to Cirque du Soleil from December 24, 2007 to March 28, 2008 to allow Cirque du Soleil to present to the public its touring show, for rental consideration to the City of \$90,000.

Approved.

(Continued on the next page)

2. CONSENT CALENDAR

2.7 Approval of actions related to Cirque du Soleil (Cont'd.)

- (b) Direction to staff to facilitate the permitting process required to authorize use of the “E” Parking Lot for Cirque du Soleil’s touring show, which will include community outreach and City employee and public parking plans, and that the City hold a public hearing to consider amendment of the current Conditional Use Permit for this site.

Approved.

- (c) Adoption of the following Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:

- (1) Establish a Citywide appropriation to the Office of Economic Development for Cirque du Soleil in the amount of \$90,000;
- (2) Increase the estimate for Other Revenue by \$90,000.

CEQA: Exempt, File No. CPA05-015-01. Council District 3. (Economic Development/City Manager’s Office)

Ordinance No. 28160 adopted.

Resolution No. 74076 adopted.

2.8 Approval of open purchase order #3 FY 2007-2008 for supplies, materials, equipment and services.

Recommendation: Approval of award of open purchase orders for supplies, materials, equipment and services for FY 2007-2008 #3 and authorization for the Director of Finance to execute the purchase orders. CEQA: See Administration’s memo to Council for specific CEQA clearance determinations on each recommended action. (Finance)

Approved.

2.9 Report on Request for Proposal and approval of actions related to Large Format Blueprint Printing Services.

Recommendation: Report on Request for Proposal for Large Format Blueprint Printing and authorize the Director of Finance to:

- (a) Execute one-year open purchase orders with:
 - (1) Peninsula Digital Imaging as the low bidder in the amount of \$173,000 to be used as the primary supplier; and
 - (2) San José Blue as the second low bidder in the amount of \$173,000 to be used as the secondary supplier.
- (b) Adjust amounts of purchase orders among the two vendors to ensure service within the first year for a cumulative total not to exceed \$346,000.
- (c) Amend the initial purchase orders to ensure services, as required, subject to annual appropriations.
- (d) Execute four one-year options to renew purchase orders subject to Consumer Price Index adjustments and annual appropriations.

CEQA: Not a Project. (Finance)

Approved.

2. CONSENT CALENDAR

2.10 Approval to amend an agreement for architectural consultant services for the Edenvale Branch Library Project.

Recommendation: Approval of the first amendment to the agreement for architectural consultant services with CWA AIA, Inc. for the Edenvale Branch Library Project extending the term of the agreement from October 31, 2007 to April 30, 2008 at no additional cost to the City. CEQA: Exempt, File No. PP05-011. Council District 2. (Public Works/Library)

Approved.

2.11 Request for an excused absence for Council Member Nguyen.

Recommendation: Request for an excused absence for Council Member Nguyen from the Regular City Council Meeting (including Closed and Evening Sessions) on October 16, 2007 due to illness. (Nguyen)
(Rules Committee referral 10/17/07)

Approved.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the Rules and Open Government Committee – October 10, 2007 Mayor Reed, Chair

(a) City Council

(1) Review October 16, 2007 City Council Agenda

The Committee approved the October 16, 2007 City Council Agenda with four additions.

(2) Review October 23, 2007 Draft City Council Agenda

The Committee approved the October 23, 2007 Draft City Council Agenda with four additions.

(b) Redevelopment Agency items reported out at Redevelopment Agency meeting

(c) Legislative Update

(1) State

(2) Federal

There were none.

(d) Meeting Schedules

(1) Approve setting a Study Session on the expansion of the City of San José's Inclusionary Housing Policy on December 11, 2007 from 6:00 p.m. – 8:00 p.m. (City Manager's Office)

The Committee approved the scheduling of the Study Session.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the Rules and Open Government Committee – October 10, 2007 (Cont'd.) Mayor Reed, Chair

- (e) The Public Record
The Committee noted and filed the Public Record.
- (f) Appointments to Boards, Commissions and Committees
There were none.
- (g) Rules Committee Reviews, Recommendations and Approvals
There were none.
- (h) Review of Additions to Council Committee Agendas
There were none.
- (i) Open Government Initiatives
There were none.
- (j) Open Forum
None were presented.
- (k) Adjournment
The meeting was adjourned at 2:14 p.m.

The Rules and Open Government Committee Meeting Report and Actions of October 10, 2006 were accepted.

3.2 Report of the Public Safety, Finance and Strategic Support Committee October 18, 2007 - Council Member Nguyen, Chair

- (a) Staff Progress Report on Council Direction to Develop Objective Criteria and/or New Definitions for the Citizen Complaint Process. (City Manager's Office/ Police/IPA)
The Committee accepted the Staff Report.
- (b) Monthly Financial Report for July/August 2007. (Budget)
The Committee accepted the Staff Report.
- (c) Redevelopment Agency Monthly Financial Reports. (Redevelopment Agency)
 - (1) Financial Statements
 - (2) Capital Cost Report
 - (3) Cash Flow Projections**The Committee accepted the Staff Report.**
- (d) Assessing Performance: An Analytical Framework for the San José McEnery Convention Center. (Auditor)
The Committee accepted the Staff Report, including comments from Team San José.

3. STRATEGIC SUPPORT SERVICES

3.2 Report of the Public Safety, Finance and Strategic Support Committee (Cont'd.) October 18, 2007 - Council Member Nguyen, Chair

- (e) Audit Recommendation Follow-up: The San José Police Department's Staffing and Deployment. (Auditor)
The Committee accepted the Staff Report, with item to be cross referenced to the October 30, 2007 City Council Meeting.
See Item 8.1 for Council Action Taken.
- (f) Public Safety Quarterly Report. (Police/Fire)
 - (1) Police
 - (2) Fire**Deferred to November.**
- (g) FY 06-07 Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended June 30, 2007. (Finance/ Redevelopment Agency)
 - (1) City
Deferred to November.
 - (2) Redevelopment Agency
The Committee accepted the Staff Report.
- (h) FY 06-07 Comprehensive Annual Debt Report. (Finance)
The Committee accepted the Staff Report.
- (i) Report on the 2007 California Building Standards Adopting Ordinance. (Planning, Building and Code Enforcement/Fire)
 - (1) California Building Standards Code
The Committee accepted the Staff Report.
To Be Heard by Council 11/6/07.
 - (2) California Fire Code
The Committee accepted the Staff Report.
To Be Heard by Council 11/6/07.
- (j) Review of Relevant Legislative Guiding Principles for 2008. (City Manager's Office)
The Committee accepted the Staff Report.
- (k) Oral Petitions
None were presented.
- (l) Adjournment
The meeting was adjourned at 4:12 p.m.

The Public Safety, Finance and Strategic Support Committee Report and Actions of October 18, 2007 were accepted.

3. STRATEGIC SUPPORT SERVICES

3.3 Approval of actions related to the use of the City Hall and Employee Garage Retail Spaces.

Recommendation:

- (a) Approval of the conversion of the Fourth and St. John (Employee) garage retail space to municipal use for the Transportation Incident Management Center and a technology training center.

Approved.

- (b) Adoption of the following 2007-2008 Appropriation Ordinance amendments in the General Fund:
- (1) Eliminate the Reserve for City Hall Build-out of \$175,000; and
 - (2) Establish an appropriation for Employee Garage Build-Out in the amount of \$175,000.

Ordinance No. 28161 adopted.

- (c) Adoption of the following 2007-2008 Appropriation Ordinance amendments in the Convention and Cultural Affairs Fund:
- (1) Establish an appropriation for Office of Cultural Affairs Improvements in the amount of \$380,000; and
 - (2) Reduce the Ending Fund Balance by \$380,000.

Ordinance No. 28162 adopted.

- (d) Acceptance of staff proposals regarding next steps for City Hall Retail Space and temporary uses of City Hall Retail Space.

CEQA: Resolution Nos. 68905 and 72230. Council District 3. (General Services/Economic Development/City Manager's Office)

(Deferred from 10/16/07 – Item 3.7)

Accepted, with Staff directed to include:

- (1) **Conduct a series of interviews to assess how or if a Request for Proposal (RFP) may be fashioned for the use of the City Hall space and that those interviews should include potential bidders on any future RFP; and that,**
- (2) **This process should include a series of meetings, rather than a single focus group, in particular where potential bidders are involved and that the conversations may be limited to the interviewee alone to ensure that the participants are forthcoming and not reluctant to provide information that might otherwise be available to potential competitors; and that,**
- (3) **If there are such interviews with a potential bidder that those conversations be based on a publicly available set of questions that will be uniformly posed to all interviewees; and that,**
- (4) **Stakeholder groups be consulted (such as City employees, labor, community leaders and commercial brokers); and that,**

(Continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.3 Approval of actions related to the use of the City Hall and Employee Garage Retail Spaces (Cont'd.)

- (5) Potential commercial uses should include uses other than restaurants, i.e. gymnasiums or other services likely to be utilized by City employees and nearby residents; and further that,
- (6) Staff return to Council with recommendations to allow Council to determine whether or not to direct Staff to prepare an RFP.
- (7) In the meantime, short term uses (as mentioned in the memorandum) should continue to be explored.

3.4 Public Hearing and action related to Waste Management, Inc. and its affiliates.

Recommendation: Take the following actions, regarding Waste Management, Inc. and its affiliates relating to the Kirby Canyon Landfill and Guadalupe Rubbish Disposal Co., both located in San José, and other projects located elsewhere in the state:

- (a) Conduct a Tax Equity and Fiscal Responsibility Act (“TEFRA”) Hearing for the issuance of \$225,000,000 of tax-exempt solid waste disposal facility revenue bonds by California Municipal Finance Authority (“CMFA”).

The Public Hearing was held.

- (b) Adoption of a resolution approving the issuance of Tax-Exempt Revenue Bonds by the CMFA in an aggregate principal amount not to exceed \$225,000,000 to be used to (1) equip and construct certain solid waste disposal facilities, including an amount not expected to exceed \$23,470,000 on facilities located in the City of San José; and (2) pay certain expenses incurred in connection with the issuance of the bonds.

CEQA: Not a Project. Council Districts 2 and 10. (Finance)

Resolution No. 74078 adopted.

3.5 Verbal Update of Legislative Priorities by Senator Elaine Alquist.

Recommendation: Receive verbal update of legislative priorities. (Mayor)
(Rules Committee referral 10/17/07)

Senator Alquist presented an update of legislative priorities.

No Council Action required.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Report of the Community & Economic Development Committee Council Member Pyle, Chair

No Report.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.2 Approval of actions related to the Logitech Ice at San José.

Recommendation:

- (a) Adoption of a resolution approving the construction of additional improvements at Logitech Ice at San José at no cost to the City.

Resolution No. 74079 adopted.

- (b) Adoption of a resolution approving the name change of the ice facility from Logitech Ice at San José to “Sharks Ice at San José.”

CEQA: Exempt, File No. PP07-210. (Economic Development)

Resolution No. 74080 adopted.

5. NEIGHBORHOOD SERVICES

5.1 Report of the Neighborhood Services and Education Committee – October 11, 2007 Council Member Chirco, Chair

- (a) Report on the 2007 Summer Aquatics. (PRNS)
The Committee accepted the Staff Report.
- (b) San José Education Foundation Update on Homework Center Program. (PRNS)
The Committee accepted the Staff Report, with Staff directed to update the Committee in January 2008 regarding the agreement.
- (c) Evaluation of Second Unit Pilot Program. (PBCE/Housing)
The Committee accepted the Staff Report.
Heard by Council on 10/16/07.
- (d) Approval of Proposed Grants Policy and a Proposed Emergency Grants Policy and Procedure. (CMO)
The Committee accepted the Staff Report, with Staff directed to cross reference this item to the full Council for their approval on October 23, 2007.
See Item 5.2 for Council Action Taken.
- (e) Strong Neighborhoods Monthly Update. (CMO)
 - (1) Renewing the Action Agenda Update.
Deferred to November.
 - (2) Richmond-Menker Neighborhood Assessment.
The Committee accepted the Staff Report.

5. NEIGHBORHOOD SERVICES

5.1 Report of the Neighborhood Services and Education Committee – October 11, 2007 Council Member Chirco, Chair (Cont'd.)

- (f) Schools/City Collaborative Monthly Update. (CMO/Neighborhood Services CSA)
The Committee accepted the Staff Report.
- (g) Review of Relevant Legislative Guiding Principles for 2008. (CMO)
Deferred to November.
- (h) Oral Petitions
None were presented.
- (i) Adjournment
(Deferred from 10/23/07 – Item 5.1)
The meeting was adjourned at 3:25 p.m.

The Neighborhood Services and Education Committee Report and Actions of October 11, 2007 were accepted.

5.2 Approval of the Proposed Grants Policy and the Proposed Emergency Grants Policy and Procedure.

Recommendation:

- (a) Adoption of a resolution approving a new Council policy on Grants to Outside Entities.
Resolution No. 74081 adopted.
- (b) Adoption of a resolution approving a new Council policy on Emergency Financial Assistance to Non-Profit Organizations.
Resolution No. 74082 adopted.
- (c) Direct staff to incorporate the following requirement related to web posting of financial information to the City's standard terms and conditions for grant agreements and operating subsidy agreements:
 - (1) For organizations receiving cumulative City grant or operating subsidy funding greater than \$200,000 in a fiscal year, the organization shall post their most recent yearly audited financial statement on their organization's web site and not later than 30 days after receipt of the audited financial statement.

CEQA: Not a Project. (City Manager's Office)

[Neighborhood Services and Education Committee referral 10/11/07 – Item (d)]

(Deferred from 10/23/07 – Item 5.4)

Approved.

6. TRANSPORTATION & AVIATION SERVICES

- 6.1 Report of the Transportation and Environment Committee**
Council Member Williams, Chair
No Report.

7. ENVIRONMENTAL & UTILITY SERVICES

7.1 Clean Air Vehicle Program – Zero Emissions.

Recommendation: As recommended by the Rules and Open Government Committee on September 19, 2007:

- (a) Direct staff to expand the Clean Air Vehicle Program to include all zero emission vehicles registered in the City of San José. (Constant)
 - (b) Accept the staff report on the workload assessment of making Zero Emissions Vehicles (ZEV) registered in the City of San José eligible to participate in the Clean Air Vehicle Parking Validation Program allowing free parking at specified City parking facilities and parking meters. CEQA: Not a Project. (Transportation)
- [Rules and Open Government Committee referral 9/19/07 – Item (G)(1)]
(Deferred from 10/16/07 – Item 7.1)

Approved.

Staff directed to work with the Parking Board and the Transportation and Environment Committee to evaluate if this benefit should be extended to other owners of other qualifying clean air vehicles.

7.2 Approval of actions related to Zero Waste Goals.

Recommendation:

- (a) Adoption of a resolution establishing a goal of 75% waste diversion by 2013, and a goal of Zero Waste by 2022;
Resolution No. 74077 adopted.

- (b) Direct staff to complete waste characterization studies and return to the Transportation and Environment Committee with those results by August 2008 and;
Approved.

- (c) Direct staff to return by the end of 2008 for Council consideration of an Integrated Waste Management Master Plan to achieve zero waste goals.
CEQA: Not a Project. (Environmental Services)
[Transportation and Environment Committee referral 10/1/07 – Item (b)]
(Deferred from 10/23/07 – Item 7.1)
Approved.

7. ENVIRONMENTAL & UTILITY SERVICES

7.3 Approval of actions related to the Urban Environmental Accords.

Recommendation:

- (a) Adoption of a goal for San José to achieve Global Sustainable City status through implementing 19 to 21 Actions that make up the Urban Environmental Accords covering energy/climate change, waste reduction, urban design, urban nature, transportation, environmental health and water.

Approved.

- (b) Approval of the table describing a 5-year implementation work plan with specific tasks and activities, with the following specific actions being brought forward for Council consideration in Fiscal Year 2007/2008:

- (1) A “zero waste” goal,
- (2) A water conservation plan,
- (3) Greenhouse gas emission reduction goals, and
- (4) The Las Plumas Master Plan.

CEQA: Not a Project. (Environmental Services)

Approved.

8. PUBLIC SAFETY SERVICES

8.1 Acceptance of the San José Police Department’s response to the City Auditor’s report entitled “Audit Recommendation Follow-Up: The SJPD’s Staffing and Deployment.”

Recommendation:

- (a) Approval to continue use of the police staffing software known as Staff Wizard;
- (b) Approval to close out the remaining recommendation resulting from the audit of the SJPD’s Bureau of Field Operations Patrol Division’s Staffing and Deployment (2000 Audit); and
- (c) Reaffirmation of the City Council’s previous acceptance of SJPD’s Five-Year Staffing Plan: 2007-2012.

CEQA: Not a Project. (Police)

[Public Safety, Finance and Strategic Support Committee referral 10/18/07 – Item (5)]

Approved.

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

The Redevelopment Agency Board convened at 1:53 p.m. to Consider Items 9.1 in a Joint Session.

9.1 Approval of actions related to the Mayor's Green Vision.

Recommendation: As recommended by the Rules and Open Government Committee on October 17, 2007:

- (a) Adopt the following ten goals identified in the Green Vision:
 - (1) Within 15 years, the San José community will strive to:
 - (a) Create 25,000 CleanTech jobs as the World Center of CleanTech Innovation.
 - (b) Reduce per capita energy use by 50 percent.
 - (c) Get 100 percent of electrical power from clean renewable sources.
 - (d) Build or retrofit 50 million square feet of green buildings.
 - (e) Divert 100 percent of the waste from our landfill and convert waste to energy.
 - (f) Recycle or beneficially reuse 100% of our wastewater (100 million gallons per day).
 - (g) Adopt a General Plan with measurable standards for sustainable development.
 - (h) Ensure that 100 percent of public fleet vehicles run on alternative fuels.
 - (i) Plant 100,000 new trees and replace 100 percent of streetlights with smart, zero-emission lighting.
 - (j) Create 100 miles of interconnected trails.
- (b) Direct staff to work through council committees to develop implementation strategies for each of the three elements in the document (CleanTech, Sustainability, and Green Mobility) for the reasons set forth in the Green Vision.

(Mayor)

(Rules Committee referral 10/17/07)

Approved.

The Redevelopment Agency Board convened at 4:26 p.m. to Consider Items 9.1 in a Joint Session.

9.2 Approval of actions related to the HomeVenture Fund.

Recommendation:

- (a) Adoption of a resolution:
 - (1) Approving the seventh amendment to the agreement between the Housing Department and NHSSV for the HomeVenture Fund, to allow NHSSV to retain \$1.3 million from the HomeVenture Fund to be used for accrued administrative costs.

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9. JOINT COUNCIL/REDEVELOPMENT AGENCY

9.2 Approval of actions related to the HomeVenture Fund (Cont'd.)

- (a) Adoption of a resolution (Cont'd.)
 - (2) Approving the first amendment to the Housing Trust Fund agreement between the Housing Department and NHSSV for an additional \$250,000 administrative support for the First Time Homebuyers Program to provide first time homebuyer services and provide a volunteer paint program within SNI areas (funds to be transferred to the Housing Department from the Redevelopment Agency by a Project Services Memorandum (PSM); and,
 - (3) Authorizing the Director of Housing to negotiate and execute an amendment to the HomeVenture grant agreement, the amendment to the Housing Trust Fund Grant agreement, and related documents.

Resolution No. 74083 adopted.

- (b) Adoption of a resolution by the Agency Board approving the use of \$250,000 of Agency funds for the administrative support of NHSSV's First Time Homebuyers Program and volunteer paint program.

CEQA: Not a Project. (City Manager's Office/Redevelopment Agency)

Redevelopment Agency Resolution No. 5795 adopted.

- Notice of City Engineer's Pending Decision on Final Maps
None.
- Notice of City Engineer's Award of Construction Projects
None.
- Open Forum
 - (1) Robert Apgar shared personal observations.
 - (2) Sophia, Marshall and Tessa Woodmansee expressed support and congratulated Mayor Reed for the Mayor's Green Vision.
- Adjournment
The Council of the City of San José adjourned at 4:35 p.m.